

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	Case No. 4:07cr58
	§	(Judge Schell)
CHRISTIAN RISHON NELSON (1)	§	

## **REPORT AND RECOMMENDATION** **OF UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on January 13, 2014, to determine whether Defendant violated his supervised release.

On April 7, 2008, Defendant was sentenced by the Honorable Richard A. Schell to one hundred and sixty-eight (168) months' custody followed by five (5) years of supervised release for the offense of Conspiracy to Possess with Intent to Distribute Cocaine and Cocaine Base. On December 29, 2011, Defendant was re-sentenced to eighty-four (84) months' custody followed by five (5) years of supervised release. On October 5, 2012, Defendant completed his period of imprisonment and began service of his supervised term.

On October 18, 2013, the U.S. Probation Officer executed a Petition for Warrant for Offender Under Supervision. The petition asserted that Defendant violated the following standard condition: the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer. The additional allegations were dismissed by the Government.

The petition alleges that Defendant committed the following acts: (1) On August 16, 2013, Defendant and co-defendants Darryn Williams, Ronald Neal, Samuel Garrett, and Donnie Lee were

arrested by the Dallas Police Department and charged with Possession of a Controlled Substance with Intent to Deliver due to the amount of seized marijuana and cocaine deemed for more than personal use, digital scales, clear plastic bags containing suspected powder cocaine, instruments used to make crack cocaine, and packaging materials which are all consistent with a drug distribution enterprise.

Prior to the Government putting on its case, Defendant entered a plea of true the remaining violation. The Court recommends that Defendant's supervised release be revoked.

### **RECOMMENDATION**

The Court recommends that the District Judge revoke Defendant's supervised release. The Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of thirty-five (35) months with no supervised release to follow. It is also recommended that Defendant be housed in the Bureau of Prisons, Seagoville Unit. The Court also recommends the Defendant participate in the 500-hour drug treatment program.

After the Court announced the recommended sentence, Defendant executed the consent to revocation of supervised release and waiver of right to be present and speak at sentencing. Defendant and the Government also waived their right to file objections.

**SIGNED this 13th day of January, 2014.**

  
AMOS L. MAZZANT  
UNITED STATES MAGISTRATE JUDGE